

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

BOARD OF COMMISSIONERS OF  
MONTGOMERY COUNTY, OHIO, on  
behalf of MONTGOMERY COUNTY, OHIO;  
and BOARD OF COMMISSIONERS OF  
SENECA COUNTY, OHIO on behalf of  
SENECA COUNTY, OHIO, with all on behalf  
of themselves and all others similarly situated,

Plaintiffs,

vs.

FEDERAL HOUSING FINANCE AGENCY  
AS CONSERVATOR FOR FEDERAL  
NATIONAL MORTGAGE ASSOCIATION  
AND FEDERAL HOME LOAN  
MORTGAGE CORPORATION; FEDERAL  
NATIONAL MORTGAGE ASSOCIATION  
a/k/a FANNIE MAE, a federally chartered  
corporation; and FEDERAL HOME LOAN  
MORTGAGE CORPORATION a/k/a  
FREDDIE MAC, a federally chartered  
corporation,

Defendants.

Civil Action No.: 3:12-cv-245

Judge Thomas M. Rose

Magistrate Judge Sharon L. Ovington

**CONSENT ORDER APPROVING PLAN OF NOTICE AND FORM OF NOTICE**

This matter is before the Court on the Plaintiffs/Class Representatives' filing of a Plan of Notice, with Form of Notice, Dkt. #50 with attachments, which are consented to by all parties. Accordingly, and for good cause shown, it is hereby ORDERED as follows:

1. Notice of the Class Certification Order, Dkt. #48, shall be provided to all members of the Class as detailed in the proposed Plan of Notice.
2. The Court finds that the form of the Class Notice attached to the Plan of Notice as Exhibit B is APPROVED. In a form substantially similar in all material

respects to Exhibit B, such Class Notice shall be mailed by United States Postal Service first class mail, postage prepaid, to each Ohio County's Board of Commissioners or County Executive with copies to each County Recorder and each County Prosecuting Attorney within seven (7) days after the date of entry of this Order. The Notice Administrator appointed in paragraph 4. below shall file with the Court an affidavit upon completion of the mailing, attesting to the mailing of the Notice to each member of the Class, with a list of the addresses to which the mailing was directed. The Notice Administrator shall file a report within 5 business days after the close of the opt-out period informing Defendants and the Court of the identity of any Class member who opts out.

3. The form and manner of delivery of the Notice directed herein and in the Plan of Notice meet the requirements of Fed. R. Civ. P. 23 and due process, constitute the best notice practicable under the circumstances, and shall constitute due and sufficient notice to all members of the Class.

4. Isaac, Brant, Ledman & Teetor LLP, is hereby appointed Notice Administrator to supervise the Class Notice process. Class Counsel will pay the costs of sending Class Notice at this time, but are free to move the Court to order Defendants to reimburse the costs at a later time for good cause shown. Defendants have made clear that they believe they are not liable in this matter. Further, Defendants reserve the right to object to any award of notice costs in all events. The Court makes no determination at this time as to which party should ultimately bear the costs of Class Notice.

5. Any Class member who fails to opt out in the manner prescribed in the Class Notice shall be deemed to have waived its right to opt out, and shall be bound

by the rulings and outcome of this lawsuit.

Dated, April 8, 2013.

s/Thomas M. Rose  
United States District Judge